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Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**ELLIOTT ERNEST MEJIA,**

**Defendant**

**CR 11-285-HZ**

**AFFIDAVIT OF COUNSEL IN  
SUPPORT OF MOTION TO CONTINUE  
TRIAL DATE**

STATE OF OREGON              )  
                                    )  
                                    ) ss:  
County of Multnomah          )

I, Gerald M. Needham, being duly sworn, do depose and say:

1. I am counsel for Elliott Ernest Mejia.
2. Mr. Mejia has been indicted for two counts of Distribution of Heroin in violation of 21 U.S.C. §841 and one count of Felon in Possession of a Firearm in violation of 18 U.S.C. §922(g)(1).
3. November 29, 2011, is the second trial setting.

4. Mr. Mejia made his initial appearance on July 25, 2011. The allegations in the Indictment concern events that occurred in May of 2011 and earlier. Defense counsel is in need of additional time to interview potential witnesses, gather confidential information concerning Mr. Mejia, conduct legal research, consult with Mr. Mejia, and otherwise properly prepare for trial.
5. Counsel has spoken with Mr. Mejia on a number of occasions concerning the need for the continuance. Counsel last spoke with Mr. Mejia on November 15, 2011. Mr. Mejia is presently housed at the Columbia County Jail. He has specifically authorized counsel to represent he consents to the continuance with the knowledge that the timeframe is excludable under the Speedy Trial Act pursuant to 18 U.S.C. §3161(h)(7)(A).
6. Assistant United States Attorney Fred Weinhouse has authorized counsel to represent the government has no objection to the requested continuance.
7. The timeframe of the requested continuance is excludable from Speedy Trial computations pursuant to 18 U.S.C. §3161(h)(7)(A), as additional time is required for pretrial investigation and trial preparation, and the ends of justice are better served by the granting of the continuance and outweigh the interests of the public and the defendant in a speedier trial.

DATED this 17th day of November, 2011.

/s/ Gerald M. Needham  
Gerald M. Needham  
Attorney for Defendant

SUBSCRIBED AND SWORN to before me this 17th day of November, 2011.

/s/ Jennifer Louise Lillie  
Notary Public for Oregon  
My commission expires: 3/22/2013